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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4002 OF 2006

Laxman Mahadev Patil .. Applicant
Versus
The State of Maharashtra .. Respondent

Mr.Nilesh Patil for applicant
Mr.Y.M.Nakhwa, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 21st November 2006
P.C.

. Heard learned Advocate for applicant and Mr.Nakhwa, A.P.P. for State.

2. Perused the application and the annexures thereto. From the statement of the complainant, it appears that on account of work commenced by complainant, the applicant faced some obstruction in reaching his place of residence. That is how, altercation took place upon applicant’s questioning the injured and his family members.

The charge sheet is filed after the investigations are complete. Prima facie, the incident appears to have occurred on account of obstruction alleged and at the spur of moment after heated exchange of words, Applicant does not have any antecedents and is working at a Sugar factory. He has to support a family which includes minors. In such circumstances and when the applicant is ready and willing to reside outside the subject village and report to the nearest police station from his new residence, once a week, the application deserves to be granted. Hence following order:-

i) The applicant arrested in connection with C.R.No.37 of 2006 registered with Kasegaon Police Station shall be enlarged on bail in the sum of Rs.10,000/- with one or two local sureties in the like amount.

ii) The bail is granted subject to

condition that the applicant will remain present before the nearest police station to his new residence once a week on every Saturday between 5.00 p.m. and 7.00 p.m. till the conclusion of trial. Applicant shall not reside in the subject village Kasegaon and shall furnish his address to the I.O.

iii) The order of bail will be given effect only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of trial without prior intimation to the Investigating officer.

iv) The bail is granted subject to condition that the applicant shall not

directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

v) The applicant shall cooperate with the learned Trial Judge for expeditious disposal of the case. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail.

vi) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

vii) Application is disposed of in above terms.

viii) Parties to act on an

authenticated copy of this order.

(S.C.DHARMADHIKARI, J)